

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ARKANSAS FEDERAL CREDIT UNION  
and THE SUMMIT FEDERAL CREDIT  
UNION, on Behalf of Themselves and All  
Others Similarly Situated,

Plaintiffs,

v.

HUDSON'S BAY COMPANY, SAKS FIFTH  
AVENUE LLC, SAKS & COMPANY LLC,  
SAKS INCORPORATED, and LORD &  
TAYLOR, LLC,

Defendants.

Case No. 19-cv-4492 (PKC)

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL**

TO: THE COURT, ALL PARTIES, AND THEIR RESPECTIVE COUNSEL OF RECORD:  
  
PLEASE TAKE NOTICE that Plaintiffs Arkansas Federal Credit Union and The Summit  
Federal Credit Union ("Plaintiffs"), will, and hereby do, move the Court, before the Honorable P.  
Kevin Castel, United States District Judge for the Southern District of New York, at the Daniel  
Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007, at a date and  
time to be set by the Court, for an Order Preliminarily Approving the proposed Settlement  
Agreement and Providing for Notice. This Motion is brought pursuant to Fed. R. Civ. P.  
23(b)(2), 23(b)(3), & 23(e), and seeks an order:

- (1) preliminarily approving the proposed Settlement Agreement;
- (2) approving the proposed Notice Program and Class Notice as providing the best  
notice that is practicable under the circumstances;
- (3) certifying the proposed Settlement Class;

- (4) appointing Plaintiffs as Class Representatives;
- (5) appointing Joseph P. Guglielmo of Scott+Scott Attorneys at Law LLP as Class Counsel;
- (6) appointing Analytics Consulting LLC as the Claims Administrator;
- (7) staying this Action pending Final Approval; and
- (8) scheduling a Final Approval Hearing.

This Motion is based upon Plaintiffs' Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Preliminary Approval, the Declarations of Joseph P. Guglielmo and Richard W. Simmons, and the exhibits annexed thereto, including the Settlement Agreement and the exhibits annexed thereto. Plaintiffs' counsel have conferred with Defendants' counsel and confirmed that Defendants do not oppose Plaintiffs' Motion.

DATED: May 27, 2021

Respectfully submitted,

**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

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*Attorneys for Plaintiffs Arkansas Federal Credit Union and The Summit Federal Credit Union*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 27, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

/s/ Joseph P. Guglielmo

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